

UNITED STATES DISTRICT COURT

for the
District of

Division

RECEIVED BY
APR 09 2021
Thomas M. Gould, Clerk
U.S. District Court
W.D. OF TN, Jackson

Case No. _____

(to be filled in by the Clerk's Office)

Tyler Hines

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) Yes No

Blue Cross Blue Shield

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Tyler Hines
Street Address	1270 Crofton St.
City and County	Brownsville, Haywood
State and Zip Code	TN, 38012
Telephone Number	901-459-0176
E-mail Address	tylerhines1@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Settling Defendants violated Sections 1 and 2 of the Sherman Antitrust Act, 15 U.S.C. §§ 1–2, in addition to state law(s), by illegally entering into a geographic market allocation agreement prohibiting competition in the market for health insurance and administration of Commercial Health Benefit Products in the United States and its territories, as well as agreeing to other means of restricting competition in the market for health insurance and administration of Commercial Health Benefit Products

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* Tyler Hines, is a citizen of the
State of *(name)* TN.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)*
_____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of _____.

Defendant No. 1

Name	Blue Cross Blue Shield
Job or Title (<i>if known</i>)	Claims Adjuster
Street Address	PO Box 91393
City and County	Seattle, King
State and Zip Code	WA, 98111
Telephone Number	1 (888) 681-1142
E-mail Address (<i>if known</i>)	info@BCBSsettlement.com

Defendant No. 2

Name	DAN LAYTIN KIRKLAND & ELLIS LLP
Job or Title (<i>if known</i>)	Settling Attorneys
Street Address	300 N. LaSalle St.
City and County	Chicago, Cook
State and Zip Code	IL 60657
Telephone Number	(312) 862-4137
E-mail Address (<i>if known</i>)	BCBSsettlement@kirkland.com

Defendant No. 3

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

(foreign nation)

b. If the defendant is a corporation

The defendant, (name) Blue Cross Blue Shield, is incorporated under the laws of the State of (name) Washington, and has its principal place of business in the State of (name) Tennessee. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):
their was a loss of life that occurred as a direct result of BlueCross Blue Shield's conduct and now I'm at a loss of consortium.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

My mom was diagnosed with Stage 4 breast cancer when it was to late as a result of Bluecross Blue Shield negligence in violating antitrust laws by entering into an agreement not to compete with each other and to limit competition among themselves in selling health insurance and administrative services for health insurance, now she's dead and I hurt everyday as a result of the negligence on their behalf because she lost her insurance due to her not being able to pay her premium when the research shows that had they not undertaken in the darkest of practices things would have been avoided since it could have been affordable which could have prevented her painful death in the end.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I ask the court for 3 million dollars in damages and simply ask the court for relief in the future by BCBSA and Settling Individual Blue Plans eliminating and no longer enforcing the National Best Efforts Requirement. Further, BCBSA and Settling Individual Blue Plans will not adopt or implement any equivalent requirement or any rule in any future License Agreement or Membership Standard that imposes a cap, ratio, or other quantitative limit on a Settling Individual Blue Plan's non-Blue-Branded healthcare business outside of its Service Area. I contend that I am entitled to actual damages, treble damages, and injunctive relief for loss or damage, and threatened loss or damage, as a result of violations of the laws as alleged in the Subscriber Actions, arising from Settling Defendants' conduct

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/09/2021

Signature of Plaintiff



Printed Name of Plaintiff

Tyler Hines

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address
